



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 1

#### HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

##### *Integrated care system: reviews and further amendments*

### **31 Care Quality Commission reviews etc of integrated care system**

- (1) Chapter 3 of Part 1 of the Health and Social Care Act 2008 (quality of health and social care) is amended as follows.
- (2) After section 46A (inserted by section 163 of this Act) insert—

#### **“46B Reviews and performance assessments: integrated care system**

- (1) The Commission must, in accordance with this section—
  - (a) conduct reviews of—
    - (i) the provision of relevant health care, and adult social care, within the area of each integrated care board, and
    - (ii) the exercise of the functions of the following in relation to the provision of that care within the area of each integrated care board: the board; its partner local authorities; and registered service providers,
  - (b) assess the functioning of the system for the provision of relevant health care, and adult social care, within the area of each integrated care board (taking into account, in particular, how those mentioned in paragraph (a)(ii) work together), and
  - (c) publish a report of its assessment.
- (2) The Secretary of State—
  - (a) must set, and may from time to time revise, objectives and priorities for the Commission in relation to assessments under this section, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) must inform the Commission of the objectives and priorities.
- (3) The priorities set by the Secretary of State under subsection (2)(a) must include priorities relating to leadership, the integration of services and the quality and safety of services.
- (4) The Commission—
  - (a) must determine, and may from time to time revise, indicators of quality for the purposes of assessments under this section, and
  - (b) must obtain the approval of the Secretary of State in relation to the indicators.
- (5) The Secretary of State may direct the Commission to revise the indicators under subsection (4).
- (6) Different objectives and priorities may be set, and different indicators of quality may be determined, for different cases.
- (7) The Commission—
  - (a) must prepare, and may from time to time revise, a statement—
    - (i) setting out the frequency with which reviews under this section are to be conducted and the period to which they are to relate, and
    - (ii) describing the method that it proposes to use in assessing and evaluating the functioning of the system for the provision of relevant health care, and adult social care, within the area of an integrated care board, and
  - (b) must obtain the approval of the Secretary of State in relation to the statement.
- (8) The statement may—
  - (a) make different provision about frequency and period of reviews for different cases, and
  - (b) describe different methods for different cases.
- (9) Before preparing or revising a statement under subsection (7) the Commission must consult—
  - (a) NHS England, and
  - (b) any other persons it considers appropriate.
- (10) The Secretary of State may direct the Commission to revise the statement under subsection (7).
- (11) The Commission must publish—
  - (a) the objectives and priorities under subsection (2),
  - (b) the indicators of quality under subsection (4), and
  - (c) the statement under subsection (7).
- (12) For the purposes of this section—
  - “adult social care” means social care for individuals aged 18 or over;

“partner local authority”, in relation to an integrated care board, means any English local authority whose area coincides with, or includes the whole or any part of, the area of the integrated care board;

“registered service provider” means a person registered under Chapter 2 as a service provider;

“relevant health care” means—

- (a) NHS care, or
- (b) the promotion and protection of public health.

(13) Regulations may amend the definition of “relevant health care” to include health care which is provided or commissioned by a public authority (but which does not amount to NHS care).”

(3) In section 48 (special reviews and investigations), in subsection (2), after “46A” (inserted by section 163 of this Act) insert “or 46B”.

(4) In section 50 (failings by English local authorities), in subsection (1), after “46A” (inserted by section 163 of this Act) insert “or 46B”.

(5) In section 162 (orders and regulations: parliamentary control), in subsection (3), after paragraph (c) insert—

“(c) regulations under section 46B(13) (amendment of definition of relevant health care).”

## **32 Integrated care system: further amendments**

Schedule 4 contains minor and consequential amendments.